

REMARKS

Applicant has studied the Office Action dated June 26, 2008. Claims 1-7, 9-17, 19, 21, and 22 are pending. Independent claim 5 has been amended to more clearly disclose the present invention. Claims 1, 5, 17, and 19 are independent claims. No new matter has been added as the amendments have support in the specification as originally filed.

It is submitted that the application, as amended, is in condition for allowance. Reconsideration and reexamination are respectfully requested.

Claim for Foreign Priority under 35 U.S.C. § 119

The Examiner acknowledged the Applicant's claim for foreign priority under 35 U.S.C. § 119(b) and indicated receipt of a certified copy of the priority document at page 2 of the Office action. However, it is respectfully noted that not all applicable boxes have been checked to indicate that the certified copy of the priority document has been received under Priority under 35 U.S.C. § 119 on the Office Action Summary page. Accordingly, it is respectfully requested that the Examiner properly check all applicable boxes by checking box 1 for 'Certified copies of the priority documents have been received' in addition to boxes 12) and a).

§ 103 Rejections

Claims 1-4, 17, 19, 21, and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagaoka et al. ("Nagaoka" U.S. App. 2002/0180579 A1) in view of Godwin et al. ("Godwin" U.S. Patent 6,058,426). This rejection is respectfully traversed.

It is respectfully noted that the Federal Circuit has provided that an Examiner must establish a case of prima facie obviousness. Otherwise the rejection is incorrect and must be overturned. As the court recently stated in In re Rijkenaert, 28 USPQ2d 1955, 1956 (Fed. Cir. 1993):

"In rejecting claims under 35 U.S.C. § 103, the examiner bears the initial burden of presenting a prima facie case of obviousness. Only if that burden is met, does the burden of coming forward with evidence or argument shift to the applicant. 'A prima facie case of obviousness is established when the teachings from the prior art itself

would appear to have suggested the claimed subject matter to a person of ordinary skill in the art.' If the examiner fails to establish a prima facie case, the rejection is improper and will be overturned." (citations omitted.)

It is well-settled that a reference must provide some motivation or reason for one skilled in the art (working without the benefit of the applicants' specification) to make the necessary changes in the disclosed device. The mere fact that a reference may be modified in the direction of the claimed invention does not make the modification obvious unless the reference expressly or impliedly teaches or suggests the desirability of the modification. In re Gordon, 221 USPQ 1125, 1127 (Fed. Cir. 1984); Ex parte Clapp, 227 USPQ 972, 973 (Bd. App. 1985); Ex parte Chicago Rawhide Mfg. Co., 223 USPQ 351, 353 (Bd. App. 1984).

With regard to the rejection of independent claim 1 and its dependent claim 2, it is respectfully noted that the Examiner admits, at paragraph 5 of the Office action, that Nagaoka does not specifically disclose that the service requests from the remote access service unit are stored in an order received and processed in a service request queue and a service request being processed has been saved in a service request table. It is further respectfully noted that the Examiner asserts that Godwin discloses the features deficient in Nagaoka, citing FIG. 5 and col. 9, lines 20-37. Applicant respectfully disagrees with the Examiner's assertion.

With regard to the cited reference Godwin, it is noted that Godwin discloses a system and method for managing resources in an information handling system, and receiving client requests for resources from an application, the resources including a password to obtain access to the application or to resources controlled by the application. (abstract). For example, the resources include a password to obtain access to the application and the requests are creation of a user ID, deletion of a user ID, or ID password reset. (col. 2, lines 32-35 and col. 6, lines 12-13). Godwin further discloses allowing users to request and obtain access to all needed resources in one place and allowing all user authorizations to be either revalidated or canceled at the same time. (col. 2, lines 1-6).

The Distributed Access Administration Tool (DAAT) disclosed in Godwin is an ID administration tool to provide a "one stop" local area network (LAN) based registration

tool which gives the end user the responsibility of managing the end user's own resources, for example, viewing ID information and making direct requests for new IDs or ID changes, and aids managers and administrators who approve and assign IDs. (col. 3, lines 18-23 and col. 5, lines 43-49). For example, the system disclosed in Godwin is used to revoke all of an employee's accesses to information resources when the employee, having access to different combinations of information resources such as authorizations or passwords, leaves a company or takes a different job within the same company. (col. 1, lines 42-54).

Simply speaking, Godwin discloses a "one stop" LAN based registration tool that provides a common set of user and administrative functions. (col. 2, lines 12-14). Therefore, it is respectfully submitted that the remote control system of a home network, as recited in independent claim 1, is distinguished from the system for managing resources in an information handling system disclosed in Godwin.

Further, contrary to the Examiner's assertion that the motivation of one skilled in the art to combine the teachings of Nagaoka and Godwin is to utilize a service request queue and a service request table to efficiently manage and allocate resources in an information handling system, it is further respectfully submitted that Godwin fails to provide motivation or reason to make the necessary changes in the home network management facility server of Nagaoka to arrive at the presently claimed invention because Godwin merely discloses an ID administration tool in the business information handling system, allowing the end user to view ID information and make direct requests for new IDs or ID changes, and allowing managers and administrators to approve and assign IDs.

Moreover, in response to the Examiner's assertion that FIG. 5 and col. 9, lines 20-31 of Godwin disclose that service requests from the remote access service unit are stored in an order received and processed in a service request queue, it is noted that the cited portions of Godwin disclose a method for handling client requests, specifically, that the request, along with its status, is put into the service queue or data table for processing (step 512) and the request, after being placed in this table, is also put in the audit log (step 514). It is further noted that in Godwin, the types of requests in the

service queue are application server tasks such as application enrolls, updates, and deletes. (col. 9, lines 36-37).

In response to the Examiner's assertion that the task manager of Godwin receives each service request, the service request along with the status is put into the service queue for processing and in view of the above discussed disclosure of Godwin, it is respectfully submitted that Godwin fails to disclose or suggest the service requests are stored in an order received, as recited in independent claim 1. It is further respectfully submitted that Godwin fails to cure the admitted deficiencies of Nagaoka with respect to service requests from the remote access service unit are stored in an order received and processed in a UPnP service request queue and a service request being processed has been saved in a service request table, as recited in independent claim 1.

With regard to the rejections of independent claims 17 and 19, for the similar reasons as discussed above with regard to the rejection of independent claim 1, it is respectfully submitted that the cited combination of references fails to disclose or suggest, at least, service requests from the remote access service (unit) are stored in an order received and processed in a UPnP service request queue and a service request being processed has been saved in a service request table, as recited in independent claims 17 and 19.

Accordingly, it is respectfully asserted that independent claims 1, 17, and 19 are allowable over the cited combination of references. It is further respectfully asserted that claims 2-4 and 22, which depend from independent claim 1, and claim 21, which depends from independent claim 19, are allowable, at least, by virtue of their dependencies upon their respective allowable independent claims.

Claims 5-7 and 9-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagaoka in view of Baba et al. ("Baba" U.S. Patent 5,758,057). This rejection is respectfully traversed.

With regard to the rejection of independent claim 5, it is respectfully noted that the Examiner asserts, at paragraph 12 of the Office action, that Nagaoka discloses "wherein the remote access service unit includes a profile database," citing FIG. 6 and

paragraphs 0051, 0186 and 0195. It is further respectfully noted that the Examiner asserts, at paragraph 1 of the Office action, that Nagaoka discloses the use of a profile database for the remote access service unit because Nagaoka discloses customer management database used to show a user ID associated with a home network, remote terminal, and security level, in FIG. 6 and at paragraph 0051.

However, Applicant's review of the cited portions reveals disclosure of performing presetting program recording in a video recorder (paragraph 0186) and control completion information for showing that the control designated by control instruction C11 is performed (paragraph 0195). It appears that the "control completion information" disclosed in Nagaoka was interpreted by the Examiner to be analogous to the profile database recited in independent claim 5. However, it is respectfully submitted that the Examiner's assertion, "once the instructions are complete, the network management server receives the control complete information and transfers that info to the HTTP server; then web data is sent to the user terminal displaying that the request was completed and the status of the home-located device after completion of the request" is not related to the profile database recited in independent claim 5.

Further, it is noted that the cited FIG. 6 and paragraph 0051 of Nagaoka disclose memory of customer management database providing a terminal ID, a home network ID for home network which a user can control, and a security level corresponding to the user of customer management database and the customer management database corresponds to a user ID belonging to the user of terminal. (paragraph 0118). However, the asserted profile database or the customer management database disclosed in Nagaoka merely includes a user ID, terminal ID, home network ID, and security level as asserted by the Examiner and shown in FIG. 6. Although the Examiner asserts that Nagaoka discloses a list of devices preferred by the user (in FIGS. 6 and 14A-14N, and paragraphs 0126 and 0182), a list of requested events (at paragraph 0195), performance of the remote access terminal including a screen size and a type of an input device (in FIG. 8 and paragraphs 0133 and 0135), and network provider's network bandwidth and services available from the provider (in FIGS. 3, 6, 14A-14N, and 15A-15L), it is respectfully noted that not all of the asserted elements are included in the customer management data base, which the Examiner believes to be analogous to the

profile database recited in independent claim 5. It is respectfully submitted that for Nagaoka to disclose the profile database, as asserted by the Examiner, the asserted profile database allegedly disclosed in Nagaoka must include each and every elements recited in independent claim 5.

For example, it is respectfully noted that the Examiner asserts, at page 15 of the Office action, that Nagaoka discloses that the user can set his security setting to configure what devices are displayed on the user terminal to show only the devices the users prefer, which is allegedly analogous to the list of devices preferred by the user, as recited in independent claim 5. It is further respectfully noted that the Examiner asserts, at paragraph 4 of the Office action, that Nagaoka discloses that the profile database includes a list of devices preferred by the user because Nagaoka discloses that the user can set his security setting to configure what devices are displayed on the user terminal to show only the devices the users prefer, citing FIGS. 6 and 14A-14N, and paragraph 182.

According to FIG. 6 and paragraphs 0120-0128 of Nagaoka, the security level shows the limit range with regard to the control when each user performs the remote control for home network, the security level showing the ranges of beginning and ending which enables the user to control. For further example, in Nagaoka, level 1 is the lightest level and a user of a terminal whose level 1 is set can perform remote control of security system provided in home network, and every home-located electronic device in home-located electronic device group while a user of a terminal whose level 3 is set cannot perform the remote control of the system security, and some specified items with regard to home-located electronic device group.

In view of the above discussed disclosure of Nagaoka, contrary to the Examiner's assertion, it is respectfully submitted that in Nagaoka, the security level is set purely for the security for home network, but not to set a list of devices preferred by the user, as recited in independent claim 5. For example, as disclosed at paragraph 0127 of Nagaoka, "security level 3 is preset to a disable status for control of water heater in home-located electronic device group 62, to thereby prevent a child controlling the temperature, or unlocking a door by mistake." Therefore, it is respectfully submitted that Nagaoka fails to disclose or suggest, at least a profile database comprising a list of

devices preferred by the user, as recited in independent claim 5. Further, in the absence of a profile database comprising all elements recited in independent claim 5 in Nagaoka, it is respectfully submitted that Nagaoka fails to disclose or suggest a profile data base comprising a list of devices preferred by the user, a list of requested events, performance of the remote terminal including a screen size and a type of an input device, network provider's network bandwidth and services available from the provider, and user access priority for each device, as recited in independent claim 5.

It is further respectfully noted that the Examiner asserts, at paragraph 2 of the Office action, that Nagaoka discloses that the database includes screen size of the remote access terminal citing FIGS. 6 and 8, and paragraphs 0133 and 0135. Furthermore, the Examiner asserts that the cited portions of Nagaoka disclose that the data is generated and transmitted to the terminal based on the size of the picture that can be displayed on the remote terminal. It is respectfully submitted that the asserted size of the picture disclosed in Nagaoka is not the same as the screen size of the remote terminal recited in independent claim 5.

Moreover, it is noted that the cited portions of Nagaoka disclose a conceptual diagram showing memory of customer management database (FIG. 6 and paragraph 0118) and a conceptual diagram illustrating memory of terminal information database (FIG. 8 and paragraph 0133). It is further noted that the cited paragraphs 0133 and 0135 of Nagaoka discloses that the system control unit modifies data which should be transmitted to the terminal depending upon the communication capability and the display capability, which is provided in the terminal information database.

It is noted that while the Examiner asserts that the customer management database disclosed in Nagaoka is analogous to the profile database recited in independent claim 5 as discussed above, the examiner further asserts that the display capability provided in the terminal information database is an element of the asserted profile database. However, it is respectfully submitted that the customer management database disclosed in FIG. 6 of Nagaoka and the terminal information database disclosed in FIG. 8 are not the same. (see also FIG. 5). It is further respectfully submitted that Nagaoka fails to disclose or suggest a profile database comprising, at

least, performance of the remote terminal including a screen size and a type of an input device, as recited in independent claim 5.

Furthermore, it is respectfully noted that the Examiner asserts, at paragraph 3 of the Office action, that Nagaoka discloses that the database includes the services available from the provider, citing FIGS. 3, 6, 14A-14N, and 15A-15L. The Examiner asserts that the status information table disclosed in FIG. 3 of Nagaoka corresponds to each home-located electronic device that is available and the services that can be performed, and thus, it is inherent that the status information table corresponds to profile database. It is noted that the status information table memory unit disclosed in Nagaoka is included in the home server as shown in FIG. 2. It is respectfully submitted that the status information table memory unit included in the home server, as disclosed in FIG. 2 of Nagaoka, is not the same as the memory of customer management database included in home network management facility, as disclosed in FIG. 4. Therefore, it is respectfully submitted that Nagaoka fails to disclose or suggest a profile database comprising, at least, network provider's network bandwidth and services available from the provider, as recited in independent claim 5.

Moreover, it is respectfully noted that the Examiner asserts, at page 16 of the Office action, that Baba discloses the use of establishing priority levels for multiple users that determine priority of access to each device in a system with multiple devices, and thus, Baba cures the deficiencies of Nagaoka with respect to the profile database comprising user access priority for each device, citing Fig. 1 and col. 8, lines 31-42. Applicant's review of Baba discloses a multi-media storage system having a plurality of disk drives. In particular, it is respectfully noted that the cited portion of Baba discloses avoiding waiting for access to the storage when a plurality of users access the storage by predetermining a priority of the users to access a specific disk drive.

Therefore, it is respectfully submitted that Baba, which merely discloses accessing a multi-media storage system, fails cure the above-identified deficiencies of Nagaoka with regard to independent claim 5. Accordingly, it is respectfully asserted that independent claim 5 is allowable over Nagaoka and Baba. It is further respectfully asserted that claims 6, 7, and 9-16, which depend from independent claim 5, are allowable, at least, by virtue of their dependencies upon patentable base claim 5.

CONCLUSION

In view of the above remarks, Applicant submits that claims 1-7, 9-17, 19, 21, and 22 of the present application are in condition for allowance. Reexamination and reconsideration of the application, as originally filed, are requested.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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